

## **REMARKS/ARGUMENTS**

The Examiner is thanked for the courteous and helpful telephone interview granted Applicants' representative on June 11, 2007. During the interview, the Examiner suggested amending the claims to recite the event auditor and the cache auditor and their functions would appear to distinguish over the cited art. By the present Amendment, independent apparatus claim 7 has so amended, and the remaining independent claims have been canceled to expedite prosecution.

Claims 7 and 10-12 are pending in the present application. Claim 7 was amended, and claims 1-6, 8, 9 and 13-20 were canceled. No claims have been added. Applicants believe claims 7 and 10-12 patentably distinguish over the cited art and are allowable in their present form, and reconsideration is respectfully requested in view of the above amendments and the following comments.

### **I. 35 U.S.C. § 101: Claims 19-20**

The Examiner has rejected claims 19-20 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter.

Claims 19 and 20 have been canceled. Therefore, this rejection is now moot.

### **II. Claim Objections**

The Examiner has objected to claims 1, 7, 13 and 19 because the term "a local clock" should be "a local clock value".

This informality has been corrected in claim 7, and claims 1, 13 and 19 have been canceled. Therefore, the claim objections have been overcome.

### **III. 35 U.S.C. § 102, Anticipation: Claims 1-20**

The Examiner has rejected claims 1-20 under 35 U.S.C. § 102(b) as being anticipated by Sutter (U.S. Patent No. 6,446,092). This rejection is respectfully traversed.

In rejecting the claims, the Examiner states:

As per claims 1, 7, 13 and 19, Sutter discloses a cache database management system for an independent distributed database that includes a network clock and procedures that enable two sites to agree on the age of changed data. The network clock procedures include procedures for relative clocks and reference time agreement. Sutter clearly discloses of at least two sites wherein one site sends and other site receives a fragment including a time-stamp and local clock information of the sending site. Further, Sutter discloses to estimate the relative difference between the clocks of the two sites. Then the receiving site makes an adjustment to the timestamp or age of the fragment accordingly. Please read col. 22, line 62 - col. 24, line 29; col. 25, lines 53-62; col. 26, lines 56-67. Though

Sutter does not use exact words used in the claim language, it will be clear for a routineer in the art that they mean the same. For example, age of the fragment is same to say the expiration value of the cache. Similarly, the fragment of the database itself is nothing more than a cache data for a client or site receiving it.

Office Action dated April 23, 2007, page 4.

Claim 7, as amended herein, is as follows:

7. (Previously presented) An apparatus for managing a cache in a distributed caching environment, the apparatus comprising:

an event auditor for receiving a cache notification event from a sending device, wherein the cache notification event includes time relative information and a clock value for the sending device indicating a time the cache notification event was generated; and

a cache auditor for making a validation decision to one of validate and discard the cache notification event received by the event auditor, wherein the cache auditor determines a clock delta by determining a difference between a local clock value and the clock value for the sending device, adjusts the time relative information in the cache notification event based upon the clock delta to time correct the cache notification event, and makes the validation decision to one of validate and discard the cache notification event based on the time corrected cache notification event .

Applicants respectfully submit that Sutter does not disclose or suggest an apparatus for managing a cache in a distributed caching environment that includes an event auditor and a cache auditor as now recited in claim 7. In particular, Sutter does not disclose an event auditor for receiving a cache notification event from a sending device as recited in claim 7, and also does not disclose or suggest a cache auditor “for making a validation decision to one of validate and discard the cache notification event received by the event auditor, wherein the cache auditor determines a clock delta by determining a difference between a local clock value and the clock value for the sending device, adjusts the time relative information in the cache notification event based upon the clock delta to time correct the cache notification event, and makes the validation decision to one of validate and discard the cache notification event based on the time corrected cache notification event” as now specifically recited in claim 7.

Claim 7, accordingly, patentably distinguishes over Sutter in its present form, and it is respectfully requested that the Examiner so find.

Claims 10-12 depend from and further restrict claim 7 and are also not anticipated by Sutter, at least by virtue of their dependency. The remaining claims in the case have been canceled to expedite prosecution.

Therefore, the rejection of claims 1-20 under 35 U.S.C. § 102 has been overcome.

**IV. Conclusion**

For at least all the above reasons, it is submitted that this application is now in condition for allowance. It is, accordingly, respectfully requested that the Examiner so find and issue a Notice of Allowance in due course.

Applicants have amended claim 7 and canceled claims 1-6, 8, 9, and 13-20 from further consideration in this application. Applicants are not conceding in this application that the claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of subject matter that the Examiner indicated appeared to distinguish over the cited art. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional applications.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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